G. R. S. App. F. IX-4]

1942 - 43

File No. 136-42

Previous References.
S&A 173-41 (6-7) (, S&A)
Ind 173-41-3
S&A 294-41 (1-4)
S&A 23-20-7

Serial Nos. 8-9

Later References.
Pts 48-43 S 1-2

S&A 136-42
Sls 8-9

S&A 86 (10)-42.

PRESERVED

Edn. 28-47-20, 50.
Bud Dep. 362-57

GENERAL AND REVENUE SECRETARIAT

~~Gen Dep~~ S&A Dep 188/55

Serial Nos. 1 TSO

Rve

Part B for March 43

SUBJECT.

Bearers Allowance to certain ad hoc time employees of government

D 3717 dt 4-1-43
Pr - Comp Delhi

Passes orders in respect of claims pointe arising out of the C...

Dearness Allowance

General and Revenue Secretariat | S & A File No. 136 | of 1942. | [App. F. III—

Serial No.

From

The Comptroller

Solicits orders on certain points arising out of the grant of Dearness Allowance to certain whole-time employees of Govt.

The following notes are submitted for consideration on the several points raised by the Comptroller.

1. Re. the rates of Dearness allowance permissible to the employees working in ~~the~~ some certain offices situated outside the Municipal limits of the city of Bangalore.

The Comptroller's decision to permit the same rates of D.A. as are paid to the employees working in the offices situated in the city limits, is based on the analogy of the employees working in Electrical Factory, Banga-

The Comptroller's opinion may be accepted.
CPA

2. Interpretation of the term 'Salary'

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—23-10-41

File No. of 194 . | General and Revenue Secretariat.

Serial No.

In this connection kind reference is invited to rule V of Appendix VIII of M.C.A.C. Vol I Appendices & Forms. re. the grant of compensation for dearness of provisions. According to the above rule 'Salary' includes is to be interpreted as including pay, as defined in the M.S.R and other forms of remuneration, such as. local & ~~local~~, personal, acting, charge, duty, overtime, allowances, fees & in cases of re-employed pensioners, pensions.

~~The intention of the Govt appears to be in sanctioning the~~ For purposes of ~~present rules~~ Dearness Allowance, ~~is to be included in~~ the term 'Salary' may include all emoluments excepting conveyance allowance and local allowance given on account of unhealthiness or expensiveness of the locality as noted by the Financial Secy in his minute dated 4-9-42.

Fl 'D'

Flag D.

3 Re: the amount of D.A admissible to the employees on furlough or half pay

Reference is respectfully invited to the Financial Secretary's minute dated 4-9-42 wherein it is

Fl 'D'

Serial No.

stated that the Dearness Allowance counts for calculation of leave allowances'.

On the above basis, half the rate of D. A. is admissible to employees on Furlough on half pay.

4 Re: the allowances received from the Govt of India.

The Comptroller's view that the total emoluments be taken into account in such cases may be accepted. The excess allowance may not be recovered from the Govt of India. In the instance, an officiating pay

5 Re: Special Locality allowance.

In view of the Finance Secretary's minute dt. 4-9-42, the 'Special locality allowance' may have to be included in determining the admissibility of Dearness Allowance.

6. Special allowances given to civilians in the present Emergency.

half of dearness allowance admissible on full salary, may be allowed during furlough on half pay GOI

H 'D'

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—23-10-41

Serial No.

This may be included in the term 'Salary'.

7.

The Duty Allowance sanctioned to the local auditors of the office of the comptroller, at par in lieu of Daily Allowance, is to be excluded from the term 'Salary', if it is considered to be in the nature of travelling allowance.

8 The rate of allowance admissible to officers belonging to the Superior & Inferior Service.

The distinction between Superior & Inferior Service does not arise, as the allowance is admissible to all whole-time employees of Govt.

9 & 10 Allowance to labourers whose wages are claimed in Nominal roll forms.

It has been worked in letter No FE 7346/SJA 173-11-7 dt 8-6-41 that D.A. may be admitted

H 7

Serial No.

the labourers as in the case of Railway Dept.

The same principle appears to be applicable even at present when the rates of D.A are enhanced in view of the prevailing conditions Labour, being Reserve, expects to be paid at rates consistent with the abnormal conditions. It may be mentioned here that in Hindustan Aircraft Limited, a minimum D.A of Rs 10-8-0 is being paid to the employees irrespective of class to which he belongs.

11

The finance Dept has recently given a ruling to the effect that the Dearness Allowance is admissible to A.R.P. Staff provided they are whole-time salaried Govt servants.

12 Employees on daily Labour

The enhanced rates of Dearness Allowance are admissible to whole-time employees paid on Daily wages, as the conditions present

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—23-10-41

Dearness Allowance

Serial No.

orders merely enhances the rates without altering the conditions issued from time to time.

13 Re. Casual labour

This is opposed to temporary labour.

The allowance is granted to all whole-time employees whether paid daily, fortnightly, or daily or piece work rates.

The criterion for the admissibility of the allowance, appears to be that the individual must be a whole-time Govt servant.

14 Whether ration and uniform allowances paid to nurses etc do form part of 'Salary' for purposes of Dearness Allowance.

On the point reference is invited to G.O. No G 13473-6/Fd 294-41-4, dt 30-6-42 directing that such allowances be excluded for determining the admissibility of D.A.

Submitted for orders

3/11/42

Pay/Gill

1346 √1561

(1)

Serial No.

-5546-

(Vide also linked file)

I have recorded my note against each of the items in the Comptroller's statement

QR 11/11.

Dy Secy JDJ 12/11/42

H Secy)

I have noted my remarks in the statement

For kind approval. The only allowance allowed to Officials will have to be included in Salary from the next month their not getting this is attributed. Vide file linked also

MA 16.11.42 JDJ 16/11/42

Mr H R)

Kll 18/11

The collection has been stopped. Ks 12/11 PA

AA 19.11.42 JDJ 19/11

Advocate General is put up for orders

Ks 24/11 PA 25/11

may be appd

H Secy) JDJ 8/12/42.

Egulr) for personal Law Mr) L. S. Ellis AA 11.12.42

Dewan)

18.12.42

24/12

23.12.42

OFFICE OF THE MINISTER FOR L. S. G. & P. H. Date 22/12/42 No 1972

OFFICE OF THE MINISTER FOR L. S. G. & P. H. Date 16.12.42 No 2971

OFFICE OF THE MINISTER FOR L. S. G. & REVENUE 17 NOV. 1942 No 3350

WD 04156—GPB—55,000—23-10-41

File No. of 194 . | General and Revenue Secretariat.

Serial No.

Item 4 - The allowances drawn from the Govt of India for the training of war technicians in certain institutions are in the nature of bonuses and need not be taken into account in calculating total emoluments

26/12/42

Revise this item as draft.

JDJ
28/12/42.

Necessary corrections has been incorporated in the draft for perusal before issue

JDJ
1/1/43

28/12
29.12

Flsey)

2.1.43

JDJ
2/1

To

The Comptroller
No Fl 3717 dated 4-1-43

Passes orders re in respect of certain points arising out of the grant of dearness allowance to certain whole-time employees of Govt.

B

(7)

Statistics regarding the number of men in grades Rs 1-39 & 39-80 and their geographical distribution are not available.

But from the statement collected by the Committee as it stood on 1-7-1941 it is seen that there are about 20520 Inferior Servants. In view of the different rates of allowance (i.e. Rs 5, 4½, 4) to be sanctioned, the probable annual cost would come

to = 20520 × 4½ × 12

I = Rs 11,08080/- Inferior Servants

Superior Servants.

Between 1-49, there are 22822 officials.

Between 50-100 - there are about 5000 officials.

Assuming that there are 20,000 officials drawing a pay below Rs 39,

the annual cost would come

= 20,000 × 4½ × 12

II = Rs 10,80000/-

As the allowance is restricted to officials

in Areas A, B & C;
it may be presumed
that there about 350 of
Superior Servants that
would come between
the grade Rs 39-80.

The annual cost
would probably
come to :-

~~35000 x~~

Rs 3500 × 6 × 12

= 2 1/2 lakhs

The total cost would
be about 24 1/2 lakhs
for one year

Rs
2/9
2/9

(The above
~~this~~ is a very
rough calculation

For perusal
of the Dy Secretary's note
embodying the Minister's
instruction. (will be
put up tomorrow through Dys
2/9.

Yes.
2/9

Dy
2/9

(1) Fl. 1346 1
D 12-10-4

OFFICE OF THE COMPTROLLER TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,

No 205/B-II. *Bangalore, dated* 7th October *1942.*

S J A 136-42—8

From M. Shamanna, Esq., M.A.,
[redacted]
Offg: *Comptroller to the Government of*
His Highness the Maharaja of Mysore,
BANGALORE.

To

Rajasevaprasakta
A. N. Raghavachar, Esq., M.A.,
Financial Secretary to the Government
of Mysore, Bangalore.

Sir,

Adverting to G.O.No.Fl.2156-2215 S & A.136-42-1 dated 25-9-1942 sanctioning enhanced rates of Dearness allowance to certain whole time employees of Government, I have the honour to append hereto a list of points of doubts felt by the Audit Sections of my office in applying the above Government Order to certain specific cases in the course of audit of establishment bills and the tentative instructions already issued or proposed to be issued by me. I request that orders of Government may be obtained as to whether the interpretations given in this office coincide with the intentions of Government and if not what modifications are necessary

I have the honour to be,
Sir,
Your most obedient servant,

M Shamanna

Comptroller.

RR)

8/10/42

Order

~~Secret~~

Secretariat Note

5. Special locality allowance is given on account of unhealthiness of a place. If the suggestion under ~~A Salary~~ item 2 re: definition of Salary is adopted, special locality allowance is to be excluded from salary. JDJ

Jagtiani 16.11.42

6. The Comptroller's view that the special allowances are to be included in "Salary" may be accepted. JDJ

7. So long as the allowance is called a "Duty" allowance, it would not be correct to ~~deem it~~ class ~~as it~~ it as in lieu of T.A". ~~As in the~~ It will have to be treated just as other D.A's are treated i.e ~~as~~ included in Salary.

Else, the ~~name~~ designation of the allowance may be changed to "Conveyance Allowance" JDJ

Jagtiani

8. The Comptroller's view is correct JDJ

9. The point raised is not very clear. ~~The Comptroller's view~~ In G.O. d 8.6.42, payment of dearness allowance to temporary labourers also as per procedure in Rly Dept. has been authorised. The general principle is that dearness allowance is to be given to all whole-time employees even on daily wages. ~~The existing orders~~ Supplementary instructions have been issued in G.O. d 7.3.42 as to how this is to be regulated, in cases where a labourer may not work all the working days in a month & absents himself for some days.

H C

This is practically the position. All whole time workers are entitled to it

JDJ

Secretariat Note

Order

1. Comptroller's view may be accepted.

CPR JBJ 12/11

Supreme Govt may be accepted

L 16/11/4

2. Salary as defined in Art 26, M.S.R. means pay + acting allowance & charge allowance, & does not include other allowances like duty allow-.

For purposes of Compensation allowance, a special definition of "pay" of an Officer, to be adopted for this purpose is given in ~~Art~~ Rule V. of Appendix VIII of Account Code Vol I. According to this it includes pay proper as also all other forms of remuneration, such as personal, acting, charge, duty, local & mahad allowances, overtime allowances, fees, & in the case of reemployed pensioners, pensions"

In G.O. d. 19.7.1920 sanctioning consolidate High price allowances, it was laid down that "Salary will include all emoluments excepting conveyance allowances and local allowances given on account of unhealthiness or expensiveness of locality."

(A)

In the recent file re: grant of "Dearness allowance", the Fin Secy. suggested the adoption of this definition (A) for the present purpose. Considering the grounds on which the allowance is granted, this definition seems most equitable. (Comptr. was asked to ascertain practice in Madras. If necessary, reply may be awaited).

D

A may be accepted & agreed to ~~& Approved~~ & ~~Sanctioned~~

ASD

3. Comptroller's view may be accepted.

CPR JBJ 12/11

4. Total emoluments may be taken into account, as proposed by the Comptroller. But it may not be worth while approaching the Govt. of India for recovery of the excess allowance

Since Govt of India 16/11/4 the scale of allowance shall be based on the salary which he would have received if he were in high People do not reduce their own rate if they do unknowingly it is relief for high [illegible] [illegible] full allowance [illegible]

CPR 11/11 JBJ

ASD 16/11/4

Doubts raised.	Decision given.
1. In the Government Order adverted to above the special enhanced rates of Rs.5/- and 7/- have been sanctioned to officials working in Bangalore City. A doubt is felt as to whether the officials working in certain offices situated just outside the Municipal limits of the City such as the Government Military Offices, Serum Institute, Agricultural School and other allied offices located near Hebbal are entitled to this enhanced rates of Rs.5/- and 7/-.	Holding the an in the affirmat permitted the passing of D.A. such cases on t analogy of empl in Electric Fac agreably to G.O D.2249-50 I & C 42-2 dated 25-9. 'g'
2. Whether the term "Salary" sed in the first para of the G.O. should be taken to mean strictly pay and acting, personal or chare allowance only or whether duty allowance, if any should also be included in it having regard to te fact that the words "Total emoluments" are usedin the order in a later para on the analogy of the uling given in G.O No.Fl.1223/S & A.26-42-2 dated 148-42 in which for purposes of calculating specil locality allowance all such allowances are taker into account.	Directed that term "Pay" be in pretted as "Emol in this connecti This is in accor with the princip of rule V of App of M.C.A.C.Vol:I Appendices & For
3. If an official drawingabove Rs.50/- as pay and goes on furlough on halfpay and gets a leave allowance of less than Rs.50- p.m., should the dearness allowance of Rs.5/-or half of Rs.7/- or the full amount of dearness llowance admissible had he been on duty for the whe month?	Given the rulir that half of Rs.7/ allowed in such c
4. In Agricultural Depament, C.I.Workshop, University Technical Colles, some of the officials draw allowances from Govenent of India, Agriculture Research Committeor War Technician Cause Fund etc., Are the allowances to be taken into account to determine otal emoluments? If for instance, an officialraws pay at Rs.45/-	Directed that total emoluments should be taken i account in such c and the corresponrate of allowance allowed but that excess as for ins Rs.2/- in this ca has to be claimed along with the allowance itself that authority.

and gets such an allowance of Rs.10/- or Rs.55/- in all at Bangalore is he to be allowed Rs.5/- or Rs.7/- and in the latter case is the excess of Rs.2/- payable by us or Government of India.

5. With reference to the G.O.quoted in para 1 above, is the special locality allowance of one anna in the rupee to be treated as part of salary for dearness allowance and vice versa?

I consider it so, in accordance with rule V of App.VIII already quoted.

6. In the Police Department (spedally) there are several special allowances given to the staff in the present emergency. Are theyto be taken into account as part of salary to determne the admissibility of this allowance andif so the rate of the allowance?

I consider it so. If the total of such emoluments exceed Rs.85-8-0 they are not eligible to the dearness allowance.

7. How the duty allowance of thekind allowed to some of the local auditors of this office at Mysore in lieu of daily allowance to be treated for allowing dearness allowance.

Being in the nature of travelling allowance as originally fixed this special D.A. may be excluded from the term pay.

8. Whether the allowance at the lowr rate of Rs.5/- and 3-8-0 (in Bangalore and Mofusil respectively) permissible in the case of both inferior and superior Officers, inspiteof a distinction between superior officers getting 50 and below and those who get above 50/-.

The question has not yet been raised but if it should be, it is proposed to direct that in the absence of any condition to that effect in the G.O. dated 25-9-42 the lower rate of allowance is uniformly admissible to all employees inferior as well as superior.

9. There are certain labourers whose ages are being claimed in nominal roll forms.The total wages for the whole month in some casewill be Rs 5/- less than Rs.5/- as for instance in the Gdens Department or in Municipalities. There e also certain labourers such as water carriersetc., whose total wages will also be Rs.5/- or less than.5/-. A doubt is felt whether the full amountf the enhanced rates of dearness allowance maye

The dearness allowance is considered as not admissible in these cases according to the spirit of Clause 3 of Rule II of App.VIII M.C.A.C.Vol.I. Whether any reduced rate is to be allowed is for orders.

(14)

10. In letter No.Fl.7346/S & A 173-41-7 dated 8-6-42 Government directed that dearness allowance (when the rate was only Re.one) be admitted in the case of labourers paid on nominal rolls also as in the case of the Railway Department.

Whether the same principle should be extended even now not withstanding the enhancement in the rate of dearness allowance is a point for orders.

For orders o Government

11. Whether the A.R.P.Wardens and Messengers recently appointed as per G.O.1007-9/W dated 12-8-42 are entitled to draw dearness allowance of Rs.5/- each sanctioned as per recent orders.

Since this is war time Establi created just no they might have sanctioned afte taking into due account of the increased cost prices in livin as such dearnes allowance is d pending clear o of Government.

Raised by the Auditor Electrical Dept.

12. Dearness allowance as sanctioned prior to the issue of this Government Order was admissible to all whole time employees whether paid monthly or daily or at piece work rates. As the present order merely enhances the rates of dearness allowance without altering the conditions under which the dearness allowance is payable, whether it is admissible to all employees inclusive of those appointed on daily labour is for orders.

For orders of Governme nt.

13. There are certain labourers employed in Electrical Department for short periods in connection with particular works. These go under the name of "casual labour." Whether such casual labour is also entitled to the enhanced rate of dearness allowance as per G.O. dated 25-8-42 is for orders.

- do -

14. In G.O.No.G.13473-6/Med 294-41-4 dated 30-6-1942, it has been ordered that ration and uniform allowances drawn by nurses etc., should be excluded in the term salary for the purposes of dearness allowance.

Net emoluments arrived at have fore be taken i account for the poses of allowi lower or higher D.A. even in th present case.

Comptroller.

8/10/42

Orders

10 The same principle may be extended to the enhanced rate of dearness allowance as well. — yes

11 A decision has already been arrived at that the dearness allowance is to be allowed to AA P. Staff provided they are whole-time salaried servants. (The AA.P. Controller stated that their pay had been fixed on old basis). — yes

12. The same conditions apply to the enhanced rate of allowance also. — yes

13. "Casual labour" employed for short periods intermittently will naturally demand varying rates according to changed circumstances. Dearness allowance need not perhaps be allowed for these. — nil necessary such cases rate of allowance expected

14. The Comptroller's view may be accepted. — yes

G. R. S. App. F VI—G 2]

(5)

SUBJECT .....

.....

.....

Diary No. of letter replied to.....

Section. ~~136~~ SJA

File No. 136-42

Serial No. 9

General and Revenue Secretariat

( )

the *193* .

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue..14.1..... 1943

Read—

G.O No JL 2156-2215 SJA 136-42-1 dated 25-9- Sanctioning enhanced rates of Dearness Allowance to certain whole-time employees of Govt.

Letter No 205/B- dated 9-10-42 from the

Order thereon.—No.

Comptroller to Govt ~~forwarding~~ enclosing a list ~~of~~ ~~items~~ in ~~orders of Govt~~ of doubts ~~raised~~ felt by the Audit Office ~~in the grant of Dearness~~ in the application of the above ~~Allowance to Govt Servants~~ order. with the tentative ~~Govt's~~ instructions issued by him ~~in the matter~~, and ~~asking~~ orders of Govt in the matter.

Govt are pleased to approve of the instructions on the above subject as indicated

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

Signed by ..H. V. S.....

(69)

Points raised by Comptr

~~Doubts raised.~~

Order

1. In the Government order adverted to above the special enhanced rates of Rs. 5/- and Rs. 7/- have been sanctioned to officials working in Bangalore City. A doubt is felt as to whether the officials working in certain offices situated just outside the Municipal limits of the city such as the Government Military Offices, Serum Institute, Agricultura School and other allied offices located near Hebbal are entitled to this enhanced rates of Rs. 5/- and Rs. 7/-.

2. Whether the term "Salary" used in the first para of the G.O. should be taken to mean strictly pay and acting, personal or charge allowance only or whether duty allowance, if any, should also be included in it having regard to the fact that the words "Total emoluments" are used in the order in a later para on the analogy of the ruling given in G.O. No. Fl. 1223/S. & A. 26-42-2 dated 14-8-42 in which for purposes of calculating special locality allowance all such allowances are taken into account.

3. If an official drawing above Rs. 50/- as pay and goes on furlough on half pay and ge a leave allowance of less than Rs. 50/- p.m. should the dearness allowance of Rs. 5/- or half of Rs. 7/- or the full amount of dearness allowance admissible had he been on duty for the whole month?

4. In Agricultural Department, C.I. Workshop, University Technical Colleg the Officials draw allowances fro of India, Agriculture Research Co

War Technician Cause Fund, etc., Are these allowances to be taken into account to determine total emoluments? If for instance, an official draws pay at Rs. 45/- and gets such an allowance of Rs. 10/- or Rs. 65/- in all at Bangalore is he to be allowed Rs. 5/- or Rs. 7/- and in the latter case is the excess of Rs. 2/- payable by us or Government of India?

Govt of India need not be taken into account for determining the 'total emolument'. But the excess expatriation allowance need not be recovered from the Govt of India as they are to be of the nature of bonuses.

5. With reference to the G.O. quoted in para 1 above, is the special locality allowance of one anna in the rupee to be treated as part of salary for dearness allowance and vice versa?

The Special Locality Allowance does not form part of the term 'Salary'.

6. In the Police Department (specially) there are several special allowances given to the staff in the present emergency. Are they to be taken into account as part of salary to determine the admissibility of this allowance and if so the rate of the allowance?

The Special Compensatory allowances are included in the term 'Salary'

7. How the duty allowance of the kind allowed to some of the local auditors of this office at Mysore in lieu of daily allowance to be treated for allowing dearness allowance.

So long as it is called 'The Duty Allowance' it will be included in the term 'Salary'

8. Whether the allowance at the lower rate of Rs. 5/- and 3-8-0 (in Bangalore and Mofussil respectively) permissible in the case of both inferior and superior officers, inspite of a distinction between superior officers getting 50 and below and those who get above Rs. 50/-.

The allowance is permissible in both the instances whether employee is superior or inferior servants.

9. There are certain labourers whose wages are being claimed in nominal roll forms. The total wages for the whole month in some cases will be Rs. 5/- or less than Rs. 5/- as for instance in the Gardens Department or in the Municipalities. There are also certain labourers such as water carriers, etc., whose total wages will also be Rs. 5/- or less than Rs. 5/-. A doubt is felt whether the full amount of the enhanced rates or dearness allowance may be

Full rate of allowance may be given to all whole-time employees of Govt (labourers refer to.

(2)

Circles

allowed to them.

10. In letter No. Fl. 7346/S. & A. 173-41-7 dated 8-6-1942 Government directed that dearness allowance (when the rate was only Rs. one be admitted in the case of labourers paid on nominal rolls also as in the case of the Railway Department.

The principle enunciated in G.O No Fl 7346/SJA 173-41-7 dt 8-6-42 be extended to the enhanced rates of Dearness Allowance.

Whether the same principle should be extended even now not withstanding the enhancement in the rate of dearness allowance is a point for orders.

Dearness Allowance may be allowed to the staff on Air Raid Precautions Work, provided the employees are whole-time salaried servants.

11. Whether the A.R.P. Wardens and Messengers recently appointed as per G.O. 1007-9/W. dated 12-8-1942 are entitled to draw dearness allowance of Rs. 5/- each sanctioned as per recent orders.

...

Raised by the Auditor, Electrical Department.

The same conditions applicable to the enhanced rates of Dearness Allowance

12. Dearness allowance as sanctioned prior to the issue of this Government Order was admissible to all whole time employees whether paid monthly or daily or at piece work rates. As the present order merely enhances the rate of dearness allowance without altering the conditions under which the dearness allowance is payble, whether it is admissible to all employees inclusive of those appointed on daily labour is for orders.

Labourers employed on 'casual labour' are not entitled to the Dearness Allowance as sanctioned in G.O dated 25/9-42

13. There are certain labourers employed in Electrical Department for short periods connection with particular works. These under the name of "casual labour". Whether such casual labour is also entitled to the

enhanced rate of dearness allowance as per G.O. dated 25-9-1942 is for orders.

14. In G.O. No.G. 13473-6/Med. 294-41-4 dated 30-6-1942, it has been ordered that ration and uniform allowances drawn by nurses, etc., should be excluded in the term salary for the purposes of dearness allowahce.

allowances drawn by nurses etc, are to be excluded from the term 'Salary' for the purpose of dearness allowance

for Finl. Secretary

25/11

To

The Auditor, Govt Mysore Bgs

(6) SHA 1842-9

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read:-

Government Order No. Fl. 2156-2215/S. & A. 136 42-1 dated 25th September 1942 sanctioning the enhanced rates of Dearness Allowance to certain whol time employees of Government.

Letter No. 205/B.-II dated 7th October 1942 from the Comptroller to Government enclosing [redacted] li of points of doubt felt by the Audit Office in the application of the above order with the tentative instructions issued by him and soliciting the order of Government in the matter.

Orders thereon:- F. 371/1/SHA/42-1

Dated, 4 January 1943.

Government are pleased to approve of the instructions on the above subject as indicated in th Annexure.

JBJ
4/1/43

For Secretary to Government,
Financial Department.

To

The Comptroller to Government.

Copy to:- The Auditor
Mysore Railways

Points raised by the Comptroller.	Orders.
1. In the Government Order adverted to above the special enhanced rates of Rs. 5/- and Rs. 7/- have been sanctioned to officials working in Bangalore City. A doubt is felt as to whether the officials working in certain offices situated just outside the Municipal limits of the City such as the Government Military Offices, the Serum Institute, Agricultural School and other allied offices located near Hebbal are entitled to this enhanced rates of Rs. 5/- and Rs. 7/- .	The whole-time employees of Government working in certain offices situated just outside the Municipal limits of the City of Bangalore be granted the same rates of Dearness Allowance as are granted to the whole-time employees of working in offices situated in Bangalore City.
2. Whether the term "salary" used in the first para of the Government Order should be taken to mean strictly pay and acting, or charge allowance only or whether duty allowance, if any, should also be included in it. Having regard to the fact that the words "total emoluments" are used in the order in a later para on the analogy of the ruling given in Government Order No. Fl. 1223/S. & A. 26-42-2 dated 14th August 1942 in which for purposes of calculating special locality allowance all such allowances are taken into account.	The term "salary" includes all emoluments excepting conveyance allowances and Local Allowances given on account of the unhealthiness or expensiveness of the locality.
3. If an official drawing above Rs. 50/- as pay and goes on furlough on half pay and gets a leave allowance of less than Rs. 50/- per mensem should the Dearness Allowance of Rs. 5/- or half of Rs. 7/- or the full amount of Dearness Allowance admissible had he been on duty for the whole month?.	The full amount of allowance admissible on the substantive pay of the employee if he were on duty be allowed.

4. In Agricultural Department, Central Industrial Workshop, University Technical Colleges, some of the officials draw allowances from Government of India, Agriculture Research Committee or War Technician Centre Pune, etc., Are these allowances to be taken into account to determine total emoluments? If for instance, an official draws pay at Rs. 45/- and gets such an allowance of Rs. 10/- or Rs. 55/- in all, at Bangalore is he to be allowed Rs. 8/- or Rs. Rs. 7/- and in the latter case is the excess of Rs. 2/- payable by the Government of India?

Allowances drawn by the employees from the Government of India need not be taken into account for determining the total emoluments.

5. With reference to the Government Order quoted in para 1 above, is the special locality allowances of one anna in the rupee to be treated as part of salary for dearness allowance and vice-versa?

The special locality allowance does not form part of the term "salary".

6. In the Police Department (specially) there are several special allowances given to the staff in the present emergency. Are they to be taken into account as part of salary to determine the admissibility of this allowance and if so the rate of the allowance?

The special allowances given in the present emergency are included in the term "salary".

7. How the duty allowance of the kind allowed to some of the local auditors of this office at Mysore in lieu of daily allowance to be treated for allowing dearness allowance.

So long as it is called the 'Duty Allowance' it is to be included in the term "salary".

8. Whether the allowance at the lower rate of Rs. 5/- and Rs. 3-8-0 (in Bangalore and Mosuffsil respectively) permissible in the case of both inferior and superior

inspite of the distinction between superior officers 3 -

officers getting 50 and below and those who get above Rs. 50/-.

The allowance is permissible to both the inferior and superior whole-time employees of Government.

9. There are certain labourers whose wages are being claimed in nominal roll forms. The total wages for the whole month in some cases will be Rs. 7/- or less than Rs. 5/- as for instance in the Gardens Department or in Municipalities. There are also certain labourers such as Water Carriers, etc., whose total wages will also be Rs. 5/- or less than Rs. 5/-. A doubt is felt whether the full amount of the enhanced rates of dearness allowance may be allowed to them.

The full rate of allowance may be given to all whole-time labourers referred to.

10. In letter No. Fl. 7346/S.&A. 173-41-7 dated 8th June 1942, Government directed that dearness allowance (when the rate was only Re. one) be admitted in the case of labourers paid on nominal rolls also as in the case of the Railway Department.

Whether the same principle should be extended even now not withstanding the enhancement in the rate of dearness allowance is a point for orders.

The principles enunciated in the Government Order referred to be extended to the enhanced rates of Dearness allowance.

11. Whether the A.R.P. Wardens and Messengers recently appointed as per Government Order No. 1007/9/W. dated 12th August 1942 are entitled to draw dearness allowance of Rs. 5/- each, sanctioned as per recent orders.

Dearness allowance may be allowed to the staff employed on Air Raid Precautions Work provided the employees are

Raised by the Auditor, Electrical Department.

12. Dearness Allowance as sanctioned prior to the issue of this Government Order were admissible to all whole-time employees whether paid monthly or daily or at piece work rates. As the present order merely enhances the rates of dearness allowance without altering the conditions under which the dearness allowance is payable, whether it is admissible to all employees inclusive of those appointed on daily labour in Workers.

The same conditions apply to the enhanced rates of Dearness Allowance.

13. There are certain labourers employed in Electrical Department for short periods in connection with particular works. These go under the name of "casual labour." Whether such casual labour is also entitled to the enhanced rates of dearness allowance as per Government Order dated 25th September 1942 is for orders.

Labourers engaged on "casual labour" are not entitled to Dearness Allowance.

14. In Government Order No. G. 1370/ ed. 294-41-1 dated 30th June 1942, it has been ordered that ration and uniform allowances drawn by nurses, etc., should be excluded in the term salary for the purpose of dearness allowance.

The ration and uniform allowances drawn by nurses, etc., are to be excluded from the term "salary" for the purpose of enhanced rates of Dearness Allowances also.

For Secretary to Government,
Financial Department.